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Intellectual Property Law

F A C S I M I L E

DATE: November 9, 2005

TO: U.S. Patent & Trademark Office
FAX NO.: (571) 273-8300

FROM: Kurt M. Eaton, Reg. No. 51,640 

Attorney Docket No.: 70651/7293
U.S. Application No.: 09/864,093
Filing Date: May 21, 2001
Inventor: Clark et al.
Art Unit: 2638
Examiner: Hanh Phan

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

22

Application Number

09/864,093

Filing Date

May 21, 2001

First Named Inventor

Clark, Gerald R.

Art Unit

2638

Examiner Name

Phan, Hanh

Attorney Docket Number

70651/7293

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<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fitch, Even, Tabin & Flannery		
Signature			
Printed name	Kurt M. Eaton		
Date	November 9, 2005	Reg. No.	51,640

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Signature			
Typed or printed name	Kurt M. Eaton	Date	November 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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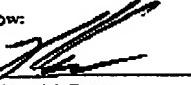
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Docket No. 70651/7293

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	09/864,093	<u>Certificate of Transmission/Mailing</u>
Applicants:	Gerald R. Clark, et al.	I hereby certify that this correspondence is being facsimile transmitted to the:
Filed:	May 21, 2001	USPTO Fax. No.: (571) 273-8300
Title:	FREE-SPACE OPTICAL COMMUNICATION SYSTEM EMPLOYING WAVELENGTH CONVERSION	or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Examiner:	Hanh Phan	Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
Art Unit:	2638	on the date shown below:
Customer No.:	22242	 November 9, 2005
Confirm. No.:	1812	Date Kurt M. Eaton Registration No. 51,640 Attorney for Applicant(s)

**AMENDMENT UNDER 37 CFR § 1.116 IN RESPONSE TO
FINAL OFFICE ACTION MAILED SEPTEMBER 9, 2005**

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
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Dear Sir:

In response to the Final Office Action mailed September 9, 2005, Applicants provide the following:

Amendments to the Claims are reflected in the Listing of Claims that begins on page 2.

Remarks begin on page 15.